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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: PATENT APPLICATION of
Inventor(s): Mills

Group Art Unit: 2881

Appln. No.: 09/513,768

Examiner: Wells

Filing Date: 2/25/2000

Title: ION CYCLOTRON POWER CONVERTER AND RADIO MICROWAVE
GENERATOR

* * * * *

January 28, 2002

(January 26, 2002 = Saturday, January 27, 2002 = Sunday)

#7
~~#10~~
24-02
Payton

RESPONSE TO OFFICE ACTION

Hon. Asst. Commissioner
of Patents and Trademarks
Washington, D.C. 20231

Sir:

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This is in response to the pending Office Action dated July 26, 2001.

Claims 1-10 are pending in the application.

Claims 1-10 stand rejected under 35 U.S.C. §§ 101 and 112, first paragraph, based upon an incorrect assertion that Applicant's lower-energy hydrogen technology lacks utility and is inoperable.

As shown below, the utility and enablement of Applicant's novel hydrogen chemistry is fully supported by an extensive amount of experimental evidence, as disclosed in the application and submitted herewith. Therefore, the Examiner's rejections under Sections 101 and 112, first paragraph, are not well founded and should be withdrawn to allow the claims to issue.

The Rejection Under 35 U.S.C. § 101 is Improper and Should be Withdrawn

The rejection of claims 1-10 under 35 U.S.C. § 101 is respectfully traversed. The Examiner's Section 101 rejection, based on the false premise that Applicant's lower-energy hydrogen technology is "not supported by a credible asserted utility or a well established utility," is improper and should be withdrawn. The Examiner has failed to follow the appropriate legal standards governing such rejection—creating new